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File

144521

DEC 27 1989

5HSM-12

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: Dead Creek Site, Sauget, Illinois Site No. 60

Dear Sir or Madam:

The United States Environmental Protection Agency (U.S. EPA) in cooperation with the Illinois Environmental Protection Agency has been conducting response actions to address contamination at the Dead Creek Site in Illinois. U.S. EPA took these actions under authority of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. Section 9601 et seq., as subsequently amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499 (CERCLA as amended). Prior to undertaking these response actions, U.S. EPA determined that there was a release or threatened release of hazardous substances from the Dead Creek Site.

During the response, U.S. EPA undertook several actions at the site. This included the erection of 4,146 feet of cyclone fencing to enclose the contamination and to prevent entry into this abandoned disposal area.

Response costs associated with this site have been incurred by U.S. EPA. The approximate U.S. EPA response costs identified up to December 18, 1989 for the above referenced Site are \$49,974.51. A summary is enclosed.

Information available to U.S. EPA indicates among other things that you are potentially responsible for the release, or threat of release of hazardous substances from the site. Pursuant to the provisions of Section 107(a) of CERCLA, as amended, and based on evidence currently available to the Agency, U.S. EPA believes that you may be liable for the payment of all costs incurred by U.S. EPA in connection with the site. The potentially responsible parties are jointly and severally liable for the whole amount.

Such payment must be made to the U.S. EPA Hazardous Substances Superfund established pursuant to Section 221 of CERCLA, as amended, which is administered by U.S. EPA. Please send your check to U.S. EPA - Region V,

Attn: Superfund Accounting, P.O. Box 70753, Chicago, Illinois 60673. Place the site identification number on the check. Please send a copy of your payment check to Shirley Dorsey, U.S. EPA, Region V, Waste Management Division (5HSM-TUB7), 230 South Dearborn Street, Chicago, Illinois 60604.

We hereby request that you make restitution by payment of the amount in this letter plus interest, together with any sums hereafter expended by the Agency in connection with the site pursuant to authority of CERCLA, as amended. Pursuant to Section 107(a) of CERCLA, as amended, interest shall begin accruing as of the date of this demand, if payment is not received within thirty (30) days of the date of this letter.

If you desire to discuss your liability with U.S. EPA, please contact Elizabeth Doyle, Assistant Regional Counsel, in writing not later than thirty (30) days after the date of this letter. Ms. Doyle may also be reached by phone at (312) 886-7951.

If we do not receive a response from you within this time frame, the U.S. EPA will assume that you have declined to reimburse the Fund for the site expenditures, and pursuant to CERCLA, as amended, U.S. EPA may pursue civil litigation against you.

The name of other potentially responsible parties (PRPs) receiving this request for payment are enclosed with this letter to facilitate organization among the identified parties concerning payment. The PRPs should work out an allocation among themselves to apportion costs.

Sincerely yours,

John Kelley, Chief
Superfund Program Management Branch

Enclosures

cc: William Child, Director
Division of Land Pollution Control
Illinois Environmental Protection Agency
2200 Churchill Road
P.O. Box 19276
Springfield, Illinois 62794-9276

bcc: O. Warnsley, Chief RP/CRU (W/O SPUR) ✓
Vince D'Aloia, MF-14 (W/O PRP List, SPUR & SPUR Summary)
Elizabeth Doyle, ORC-TUB (W/O SPUR & SPUR Summary)
Shirley Dorsey, TSS-12

DEAD CREEK POTENTIALLY RESPONSIBLE PARTY LIST

1. Cerro Copper Products Company
P.O. Box 681
East St. Louis, IL 62202
2. Midwest Rubber Reclaiming
P.O. Box 2349
East St. Louis, IL 602202
3. Ruan Transportation
Box 855
Des Moines, IA 50304
4. Monsanto Chemical Company
500 Monsanto Avenue
Sauget, IL 62206-1198

**CUMULATIVE COST SUMMARY
DEAD CREEK, IL
SUPERFUND SITE # 60
PREPARED 12/11/89**

EPA EXPENDITURES	Cumulative Costs Through October 31, 1989
EPA PAYROLL --	
-- Headquarters	\$ 0.00
-- Regional	6,624.80
INDIRECT COST --	
	4,640.10
EPA TRAVEL --	
-- Headquarters	0.00
-- Regional	1,381.49
FIELD INVESTIGATION TEAM CONTRACT--	
--ECOLOGY AND ENVIRONMENT (68-01-6056)	5,773.12
OTHER EXPENDITURES--	
WDM OFFICE SUPPLIES (58589GGBX)	110.00
--OSC LET CONTRACT(68-01-6620)	30,845.00
--OSC LET CONTRACT(68-85-0151)	400.00
--OSC LET CONTRACT(68-85-0152)	<u>200.00</u>
TOTAL EPA COSTS BEFORE INTEREST	\$ 49,974.51
Pre-Judgement Interest	<u>0.00</u>
TOTAL EPA COSTS FOR DEAD CREEK	\$ 49,974.51
TOTAL COSTS RECOVERED TO DATE	<u>0.00</u>
TOTAL EPA UNRECOVERED COSTS DEAD CREEK	\$ <u><u>49,974.51</u></u>

Please Note: National Contract Laboratory program costs, if incurred, may be significantly understated. These costs do not include any lab costs that may have been billed to EPA prior to FY 1986 and no estimate of the CLP Sample Management Cost (ranges from 6.1 % to 17% of Analytical costs) is provided. A complete accounting of Contract Laboratory Costs is normally provided by VIAR